

Case Detail Print
Case Nbr.
19690080

7/14/2003
Page 1 of 4

Ref Case No:
Region Cd: TFNSnohomish
Casestat Cd: A ACTIVE
Casetype Cd: ENC ENCROACHMENT
Case Adno:
From Struct: 52/3 To Struct: 52/4

Worker		Land Management Action		
Assignment	Worker Code	Open Date	Close Date	Cancel Date
Preliminary <input type="text"/>	MER ROSALE <input type="text"/>	05/01/2001	08/06/2001	<input type="text"/>
Final <input type="text"/>	CSA ALBREC <input type="text"/>			

Name: GALLAGHER J D
Primary Contact: ☐
Type: OTH OT Class: PRIVAT
Street:
City:
State: Zip:

Name: BENSON JAMES
Primary Contact: ☒
Type: GRT GF Class: PRIVAT
Street: 10514 123RD ST CT E
City: PUYALLUP
State: WA WASHINGT Zip: 98374

Type	Phone Nbr	Ext
HOME <input type="text"/>	(253) 446-9959	<input type="text"/>

Tract ID

C-RE-52-A-438

Case Detail Print
Case Nbr.
19690080

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Page 2 of 4

Tract ID

Tract ID: C-RE-52-A-438

Acquisition	
Status:	A
Rights Held:	E
Area:	0.7
	<input checked="" type="radio"/> ACRES <input type="radio"/> HECTARES
Length:	78
	<input checked="" type="radio"/> FEET <input type="radio"/> METERS
Width:	250
	<input checked="" type="radio"/> FEET <input type="radio"/> METERS
Variable:	<input type="checkbox"/>

Case Tract	
Status:	A ACTIVE
Area:	.7
	<input checked="" type="radio"/> ACRES <input type="radio"/> HECTARES
Length:	78.0
	<input checked="" type="radio"/> FEET <input type="radio"/> METERS
Width:	250.0
	<input checked="" type="radio"/> FEET <input type="radio"/> METERS
Variable:	<input type="checkbox"/>

State	County	Section	Township	Range	Meridian	Unsurveyed
WA	PIERCE	10	19 N	4 E	WM V	<input type="checkbox"/>

North West Quad		North East Quad	
NW	<input type="checkbox"/>	NE	<input type="checkbox"/>
SW	<input type="checkbox"/>	SE	<input type="checkbox"/>
NW	<input checked="" type="checkbox"/>	NE	<input type="checkbox"/>
SW	<input type="checkbox"/>	SE	<input type="checkbox"/>
South West Quad		South East Quad	

Tract ID	Drawing No	Sheet No
C-RE-52-A-438	15852	

Tract ID	Station From	Station To
C-RE-52-A-438	607+54 OPP	

Variance	Comment:
BDG BUILDING	OLYMPIA-COVINGTON LINE (OPER AS OLYMPIA-WHITE RIVER NO 1) CHEHALIS-COVINGTON LINE
ENC ENCROACH	
F&G FENCE(S)	

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Date: 08/25/2001

Auditor: AEC

Curr Elg	Instr No	Sup No	Amnd No	Instr Date	Eff Date	Term Date	External No
<input type="checkbox"/>	9510				07/29/1969		
<input checked="" type="checkbox"/>	690080			05/31/2001	05/31/2001		

P F	Book Reel	Page Frame	Audit File	State	County	Recorded Date
P			200106130812	WA W/	PIERCE	06/13/2001

Entered By: MER ROSALES MARI E Seq: 1 Date: 09/21/2000

Comment:

REC'D CALL FROM MICHAEL BENSON. HE IS THE NEW OWNER OF THE PROPERTY. HE SAID THAT CLINT HAD COME BY TO LOOK AT HIS TREES AND HAD TOLD HIM THAT THE SHED, FENCE, AND PART OF HIS HOUSE WERE ON THE ROW AND MICHAEL WANTED TO KNOW WHAT THE DEAL WAS. I WENT OUT TO HIS HOME AND MET WITH HIM. I LEFT HIM AN APPLICATION FOR THE SHED AND TOLD HIM TO GET IT IN WHEN HE COULD. ~MER

Entered By: MER ROSALES MARI E Seq: 2 Date: 04/25/2001

Comment:

CALLED AND SPOKE WITH MRS. BENSON (JACQUELYN). I TOLD HER THAT I WAS LEAVING THIS JOB AT THE END OF MAY AND WANTED TO TIE UP SOME LOOSE ENDS BEFORE I LEFT. I TOLD HER THAT I HAD NEVER REC'D AN APPLICATION FROM HER HUSBAND AND WOULD JUST GO AHEAD AND PREPARE THE LIMITED CONSENT AND HAVE IT RECORDED. SHE HAD A CONCERN ABOUT THIS BECAUSE THEY ARE IN THE PROCESS OF REFINANCING THEIR HOME. I TOLD HER THAT I COULD HOLD ON TO THE DOCUMENT UNTIL THE LATER PART OF MAY AND SHE SAID THANKS. SHE SAID THAT SHE WOULD CALL ME ONCE THE PROPERTY CLOSED. I WILL NEED TO SEND HER A COPY OF THE LIMITED CONSENT AND THEN ONE ONCE IT IS RECORDED. ~MER

Entered By: AEC CAMP, A ELLEN Seq: 3 Date: 04/26/2001

Comment:

RE-OPENED PER MARI.

Entered By: MER ROSALES MARI E Seq: 4 Date: 05/21/2001

Comment:

REC'D CALL FROM KATIE (425.454.7700) AT BOLDREY EVALUATION ADVISORS (APPRAISERS). SHE WAS WANTING INFORMATION FOR AN APPRAISAL ON THE PROPERTY. I PROVIDED HER INFORMATION ON THE ORIGINAL LIMITED CONSENT AS WELL AS TOLD HER THAT THE HOUSE WAS PARTIALLY ON THE ROW AND THAT WE WOULD BE RECORDING A LIMITED CONSENT FOR THE NEW LANDOWNERS. ~MARI

19690080

Entered By: GIW WALKER GAIL I	Seq: 5	Date: 06/01/2001
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Comment:

COPY OF LIMITED SENT TO L/O AND ORIGINAL SENT TO GLORIA BERGLUND FOR RECORDING (GIW)

Entered By: GIW WALKER GAIL I	Seq: 6	Date: 06/04/2001
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Comment:

RETURN RECEIPT RECEIVED FROM BENSON AT TFN SNOHOMISH FOR ARTICLE NO. 7000 0520 0015 6753 0403. (GIW)

Entered By: VEL	Seq: 7	Date: 06/05/2001
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Comment:

REC'D CALL FROM MR. BENSON WHO SAID HIS NAME IS JAMES MICHAEL BENSON, RATHER THAN MICHAEL JAMES. I EXPLAINED WE WOULD HAVE USED THE NAME FROM THEIR VESTING DEED, THAT I WOULD CALL THE COUNTY & FIND OUT HOW IT IS ON THEIR DEED. PIERCE COUNTY RECORDER'S OFFICE SAID THE DEED IS VESTED IN JAMES M. AND JACQUELINE A. BENSON. CALLED MR. BENSON BACK & TOLD HIM WE WOULD SEND OUT A NEW FIRST PAGE FOR THEM AND THAT A COPY OF THE RECORDED DOCUMENT WOULD BE SENT LATER. (VEL)

Entered By: CSA ALBRECHT CATHERINE S	Seq: 8	Date: 06/28/2001
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Comment:

REC'D RECORDED DOCUMENT FROM THE COUNTY. COPY SENT TO LANDOWNER WITH COVER LETTER. (CSA)

NO CASEFILE WAS SET UP FOR THIS NAME CHANGE--OLD CASE WAS JUST RE-OPENED. LIMITED CONSENT AND COVER LETTER SENT TO PORTLAND FOR CLOSING. (CSA)

Entered By: JD DAHLHEIM, JANET	Seq: 9	Date: 08/06/2001
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Comment:

CASE CLOSED. FILE TO TR-RECORDS. (JD)

U. S. DEPARTMENT OF THE INTERIOR
BONNEVILLE POWER ADMINISTRATION

Branch of Land

TO: Land Register Clerk

Date July 31, 1969

This case has been closed. Please make appropriate entries in the Land Register, Land Grant Register, and statistical records. Then forward to the Land Files, Branch of Land.

Tract number: C-RE-438

County and State: Pierce County, Washington

Grantor: BPA

Grantee: J. D. Gallagher

Contract number: # 09510

Date of instrument: July 9, 1969

Rights or privileges conveyed: to retain the encroachment of a house and to construct and maintain a fence and landscaping within the above-referenced tract.

Ella C. Gudge
Conveyances examiner

TO: Land Files, Branch of Land

The Branch of Land has completed work on the above case. Please prepare

1. Index cards (s)
2. Permanent folder (s)
3. Cross references, as necessary.

SEE LAND GRANT REGISTER

Betty Packwood
Land Register Clerk

Transmitted herewith are copies of the within permit from Bonneville
Power Administration:

✓ Seattle Area Office	OYO - - - - - 4 copies
Portland Area Office	OXO - - - - - 2 copies
Spokane Area Office	OZO - - - - - 3 copies
Walla Walla Area Office	OWO - - - - - 3 copies
Idaho Falls Area Office	OVP - - - - - 3 copies
✓ Civil Engineering Unit	EDTC- - - - - 2 copies
✓ Disbursement Audit Section	MFD - - - - - 1 copy
✓ C. P. Libby	EDTL- - - - - 1 copy

Power line crossings only:

Branch of Maintenance (Wetsch) OMT- - - - - 1 copy
This crosses (over)(under) BPA's line.

cc:
Official File - ELOF

Title Section
Branch of Land



UNITED STATES
DEPARTMENT OF THE INTERIOR
BONNEVILLE POWER ADMINISTRATION
PORTLAND, OREGON 97208

Date: July 9, 1969

Tract No. C-RE-438

Line Olympia-Covington

Mr. J. D. Gallagher
10514 - 123rd St. CT. E
Puyallup, Washington 98371

Contract No. 09510

Dear Mr. Gallagher:

Subject: Use of Bonneville Power Administration easement area for the encroachment of your house and the construction and maintenance of a fence and landscaping within the Administration's Tract C-RE-438 of the Olympia-Covington transmission line between Structures 237 and 238 (operated as Olympia-White River No. 1 line, Structures 42/3 and 42/4) in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 19 North, Range 4 East, Willamette Meridian, Pierce County, Washington.

The above described use of this easement tract has been determined not to be a hazard to nor an interference with the Bonneville Power Administration's present use of this easement for electric transmission line purposes. Accordingly, there is no objection to such use, subject to the condition, however, that if such use should at any time become a hazard to the presently installed electrical facilities of the Administration, or any facilities added or constructed in the future, or should such use interfere with the inspection, maintenance or repair of the same, or with the access along such easement, you will be required to remove such hazard or interference.

You, of course, will have to assume all risk of loss, damage or injury which may result from your use of the easement area, except for such loss, damage or injury as the United States may be responsible for under the provisions of the Federal Tort Claims Act, 62 Stat. 992, as amended. It is understood that any damage to the Government's property caused by or resulting from your use of the easement tract may be repaired by the Administration and the actual cost of such repair shall be charged against and be paid by you.

The following conditions also must be complied with:

1. You shall make no additions to the portion of your house which is within the transmission line right of way; neither shall you place any additional buildings or structures within the transmission line right of way.
2. Your fence shall be limited to a maximum height of 6 feet.
3. All trees and shrubs planted within the right of way shall be kept to a maximum height of 12 feet.

4. Your use of the transmission line right of way shall not interfere with the Government's access to and along the right of way in the Government's maintenance or rebuilding of its facilities.

5. This permit shall remain in effect so long as you comply with the terms and conditions set out herein, or have need for the facilities hereinabove described; provided, however, that if you do not comply with the terms and conditions of this permit, or the Government determines that your facilities interfere with the use and operation of its facilities, or the construction of an additional transmission line, then the Government shall notify you and you shall have 60 days time thereafter to remove the interference and, if you shall fail or refuse to do so within said 60 days, then the Government may terminate this permit.

It is understood that any rights granted you hereunder are subject to existing rights, if any, of other parties.

It is further understood that you covenant and agree that you will comply with the terms and provisions of Title VI of the Civil Rights Act of 1964, 78 Stat. 241, to the extent that the provisions of said Act apply to you. In the event of violation, the United States of America reserves the right to invoke the provisions of Section 17.4 of Title 43 C.F.R.

This agreement will become effective upon your returning this letter with your approving signature to the Bonneville Power Administration, P. O. Box 3621, Portland, Oregon, 97208. The copy is for you to retain as your record.

Sincerely yours,

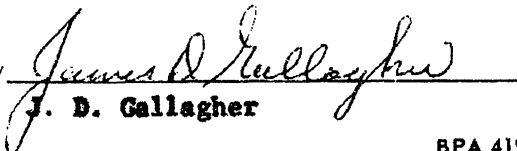


Head Title Section
Branch of Land

The above agreement is accepted and its terms agreed to on this 29th day of

July, 1969.

By


J. D. Gallagher

2

BPA 419
Rev. Mar. 1968

Max L. McMillin:

Received your following
letter of 25 July. Sorry
for not replying sooner
but have been on vacation
since 10 July
J. Gallagher

July 25, 1969

ELT

Permit--Cont. No. 09510

Mr. J. D. Gallagher
10514 - 123rd St. CT. E
Puyallup, Washington 98371

Dear Mr. Gallagher:

On July 9, 1969, we sent you our standard form of permit covering the encroachment of your house and the construction and maintenance of a fence and landscaping within the Administration's transmission line right of way.

This permit is necessary for our records and until you date and sign both copies which were sent to you, and return one copy to this office, you do not have authorization from the Bonneville Power Administration to encroach upon its transmission line right of way and you could be required to vacate the right of way.

We will appreciate receiving the dated and signed permit soon.

Sincerely yours,

Max L. McMillin
Head, Title Section
Branch of Land

cc:
Official file - ELOF

ELT:Kudgel

DRAFT
EGudgel
7-25-69

Dear Mr. Gallagher:

On July 9, 1969, we sent you our standard form of permit covering the encroachment of your house and the construction and maintenance of a fence and landscaping within the Administration's transmission line right of way.

This permit is necessary for our records and until you date and sign both copies which were sent to you, and return one copy to this office, you do not have authorization ~~to~~ from the Bonneville Power Administration to encroach upon its transmission line right of way and you could be required to vacate the right of way.

We will appreciate receiving the dated and signed permit soon.

SY



UNITED STATES
DEPARTMENT OF THE INTERIOR
BONNEVILLE POWER ADMINISTRATION
PORTLAND, OREGON 97208

Date: **July 9, 1969**

Tract No. **C-RE-438**

Line **Olympia-Covington**

Mr. J. D. Gallagher
10514 - 123rd St. CT. E
Puyallup, Washington 98371

Contract No. **09510**

Dear Mr. Gallagher:

Subject: Use of Bonneville Power Administration easement area for the encroachment of your house and the construction and maintenance of a fence and landscaping within the Administration's Tract C-RE-438 of the Olympia-Covington transmission line between Structures 237 and 238 (operated as Olympia-White River No. 1 line, Structures 42/3 and 42/4) in the NW1/4 of Section 10, Township 19 North, Range 4 East, Willamette Meridian, Pierce County, Washington.

The above described use of this easement tract has been determined not to be a hazard to nor an interference with the Bonneville Power Administration's present use of this easement for electric transmission line purposes. Accordingly, there is no objection to such use, subject to the condition, however, that if such use should at any time become a hazard to the presently installed electrical facilities of the Administration, or any facilities added or constructed in the future, or should such use interfere with the inspection, maintenance or repair of the same, or with the access along such easement, you will be required to remove such hazard or interference.

You, of course, will have to assume all risk of loss, damage or injury which may result from your use of the easement area, except for such loss, damage or injury as the United States may be responsible for under the provisions of the Federal Tort Claims Act, 62 Stat. 982, as amended. It is understood that any damage to the Government's property caused by or resulting from your use of the easement tract may be repaired by the Administration and the actual cost of such repair shall be charged against and be paid by you.

The following conditions also must be complied with:

- 1. You shall make no additions to the portion of your house which is within the transmission line right of way; neither shall you place any additional buildings or structures within the transmission line right of way.**
- 2. Your fence shall be limited to a maximum height of 6 feet.**
- 3. All trees and shrubs planted within the right of way shall be kept to a maximum height of 12 feet.**

BPA 419
Feb. 1969

4. Your use of the transmission line right of way shall not interfere with the Government's access to and along the right of way in the Government's maintenance or rebuilding of its facilities.

5. This permit shall remain in effect so long as you comply with the terms and conditions set out herein, or have need for the facilities hereinabove described; provided, however, that if you do not comply with the terms and conditions of this permit, or the Government determines that your facilities interfere with the use and operation of its facilities, or the construction of an additional transmission line, then the Government shall notify you and you shall have 60 days time thereafter to remove the interference and, if you shall fail or refuse to do so within said 60 days, then the Government may terminate this permit.

It is understood that any rights granted you hereunder are subject to existing rights, if any, of other parties.

It is further understood that you covenant and agree that you will comply with the terms and provisions of Title VI of the Civil Rights Act of 1964, 78 Stat. 241, to the extent that the provisions of said Act apply to you. In the event of violation, the United States of America reserves the right to invoke the provisions of Section 17.4 of Title 43 C.F.R.

This agreement will become effective upon your returning this letter with your approving signature to the Bonneville Power Administration, P. O. Box 3621, Portland, Oregon, 97208. The copy is for you to retain as your record.

Sincerely yours,

Head Title Section
Branch of Land

The above agreement is accepted and its terms agreed to on this _____ day of _____, 19____.

By _____
J. D. Gallagher

ELT

U.S. DEPARTMENT OF THE INTERIOR
BONNEVILLE POWER ADMINISTRATION
Branch of Land

MEMORANDUM

TO: ☒ Transmission Design Section
Attn: C. P. Libby - ETL
☒ Substation Design Section

Date July 2, 1969

FROM: Branch of Land - ELT

SUBJECT: Application for Permit for encroachment of house and landscaping
Line: Olympia-Covington -- Tract C-RE-438
Applicant: J. D. Gallagher

☒ This request is referred for approval and comments.

☐ Please advise tract number, current operating name and number, and field structure number

IF THIS CROSSES OVER, NOTIFY BRANCH OF MAINTENANCE

ATTACHMENTS

☐ DRAWINGS

☒ OTHER

2 pictures

2 memos and encroachment report

s/ Max L. McMillin

HEAD, TITLE SECTION

EGudgel

☐ LETTER OF APPLICATION

☐ BPA FORM 782

TO: Branch of Land - ELT

Date 7-7-69

☒ Approved

☐ Comments

Tract No. C-RE-438

Location NW 1/4 SW 1/4 Sec 10, T19N, R4E.

Constructed as

Olympia-Covington

Design Serial No.

237-2318

Operated as

Olympia-White River No 1

Operating structure No.

42/3 and 42/4

By

Libby

Will this letter be OK?

7-25 eg

OK m/m

UNITED STATES GOVERNMENT

Memorandum

TO : Louis J. Cowan
Asst. Chief, Branch of Land - ELA

FROM : Wallace G. Hartness
Supt., Line Maintenance - Seattle - OYOL

SUBJECT: Encroachment - J. D. Gallagher
Covington-White River - C-RE-438

DATE: June 25, 1969

In answer to your memorandum, dated 6-18-69, to Ed Borter on the subject encroachment, from the center line of the Olympia-White River line to the edge of the right of way is 62½ feet. J. D. Gallagher's house measures 58' from the center of said line.

cc:
R. Holland - OYO
Official File - OY

OYOL:WGHartness:1aj 6-25-69

Arthur E. Borter
for W.G.H.



ENCROACHMENT REPORT

(see BPA Manual, part 9 - Land Encroachments)

NOTE: Forward original and one to: Branch of Land

LINE <i>OLY-WR.</i>	TRACT NO. <i>OLY-Cov</i>	DATE <i>C-RE 438</i>	5-16-69	
OPERATING NAME <i>11</i>		MAINTENANCE DISTRICT <i>Couington</i>		
OWNER <i>J.D. GALLAGHER</i>		ADDRESS <i>10514 123rd ST. C7. E</i> <i>Puyallup WA</i>		
TYPE OF ENCROACHMENT: <input type="checkbox"/> BARN <input checked="" type="checkbox"/> HOUSE <input type="checkbox"/> FEED PEN <input type="checkbox"/> OTHER				
TYPE OF CONSTRUCTION: <input checked="" type="checkbox"/> WOOD FRAME <input type="checkbox"/> MASONRY <input type="checkbox"/> OTHER				
DOES THE ENCROACHMENT CREATE A HAZARD TO THE LINE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <i>NOT House</i>				
SIZE OF ENCROACHMENT: HEIGHT AT EAVES <i>20'</i> AT RIDGE <i>25'</i> LENGTH <i>68'</i> WIDTH <i>28'</i>				
LOCATION	BETWEEN STR NO. <i>237</i>	& STR NO. <i>238</i>	FEET <i>550</i>	SEC <i>10</i>
		TOWNSHIP <i>19N</i>		RANGE <i>4E</i>
		MAP SER NO. <i>32642</i>		
WAS THE OWNER OF THE ENCROACHMENT CONTACTED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
NAME OF ENCROACHER IF OTHER THAN LAND OWNER				
<i>No ONE AT HOME.</i>				
LAND OWNER'S REACTION:				

RECOMMENDED ACTION, AND REASON:

We recommend that the Branch of Land notify the property owner that the encroachment is not a hazard. Also that BPA is absolved from any responsibility for the encroachment. The Branch of Land should prepare an agreement for the shrubs and trees on the R/W.

Attach pictures of encroachment if available. Show centerline if practicable.
Show complete information on a sketch on the reverse side.

DATE OF INSPECTION *5-16-69*BY *Donald A. [Signature]*

(Area Maintenance)

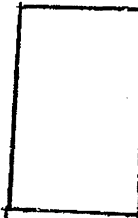
☒ ATTACHMENTS*Potos*

TWR 237
42/3



AREA FROM HOUSE TO
CENTER OF LINE PLANTED
TO TREES AND SHRUBS
AND GRASS.

28'



10
10
10

58'

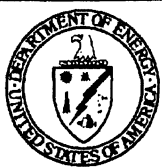


TWR 238
42/4



19690080

SUP 1



Department of Energy
Bonneville Power Administration
914 Avenue D
Snohomish, WA 98290

LIS CASE No. 19690080

TO: Real Property Information - TSR-3

Date: AUG 06 2001

This case has been closed by Real Property Services. Please verify data on the Land Information System and process the record for storage and retrieval.

Line Name: Olympia-Covington (OPER as Olympia-White River No. 1)
Chehalis-Covington Line

Operating Name:

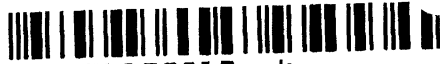
Grantee: James M. & Jacquelyn Benson

mt - Cathy Albrecht
Cathy Albrecht
Realty Specialist

cc: (with Permit attached)
Foreman III – TFNK/Covington
Aircraft Services TC-Hanger
Manager, Right-of-Way - TSRS

File has been audited in Real Property Information.

EC 8/25/01
Real Property Information Auditor



200106130812 4 pg

6-13-2001 04:06pm \$11.00
PIERCE COUNTY, WASHINGTON

Bonneville Power Admin. -TRF
914 Avenue D
Snohomish, WA 98290

Tract No. C-RE-438
Case No. 690080

After recording, return to:

Bonneville Power Administration - TRF
914 Avenue D
Snohomish, WA 98290

COMMONWEALTH TITLE COMPANY
has placed this document of record as
a customer courtesy and accepts no
liability for the accuracy and validity

NOTICE OF LIMITED CONSENT

Recorded

THIS INSTRUMENT made this 31st day of May, 2001, by and between THE UNITED STATES OF AMERICA, BONNEVILLE POWER ADMINISTRATION (BPA), and JAMES M. and JACQUELYN A. BENSON, husband and wife, their successors and assigns, hereafter called Owner(s).

COMMONWEALTH

WITNESSETH:

Wild-2
JUN 13 2001

THAT WHEREAS, the Owner(s) or its Predecessors in Title did grant unto BPA or its predecessors, an easement over the property of the Owner(s) located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 19 North, Range 4 East, Willamette Meridian, County of Pierce, State of Washington, affecting Pierce County Parcel No. 372500 015 2, and

WHEREAS, the aforesaid easement was recorded in the Pierce County Clerk's Office on December 4th, 1940, in Book 657, Page 197, Deed records of said county and

WHEREAS, the Owner(s) has portion of the residence, small shed, and wood fence, which BPA has determined encroaches upon and violates the terms of the aforesaid easement.

HOWEVER, BPA will not seek the removal of said encroachments at this time for the following reasons:

These items have been within the right-of-way for more than 20 years and does not at this time constitute a hazard to our lines or interfere with maintenance activities.

11

THEREFORE, this instrument serves as limited consent for use of the easement area by the Owner(s), subject to the attached list of conditions, entitled "Exhibit A", and as shown on the attached map entitled "Exhibit B". These encroachments shall not be altered, enlarged, or rebuilt for any reason. BPA, its successors and assigns, may, at its option, at any time, require the Owner(s) to remove these encroachments from within the easement area at the Owner(s) expense.

AS an agency of the UNITED STATES OF AMERICA, BPA is not liable for damage to property, or injury to, or death of, persons (except as such liability is allowed by Federal statute). The Owner(s) should take adequate precautions, by insurance or otherwise, for protection from loss, damage, injury, and liability to others therefore, which may result from use of the easement area.

IN WITNESS WHEREOF, BPA has executed this instrument the date above first written.

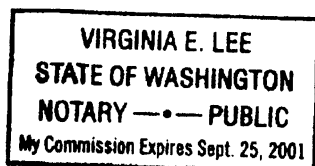
Bonneville Power Administration

By: Mari Rosales
Field Realty Specialist

On this day personally appeared before me Mari Rosales, to me known to be a Field Realty Specialist for the Bonneville Power Administration, who subscribed to and executed the within instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 31st day of May, 2001.

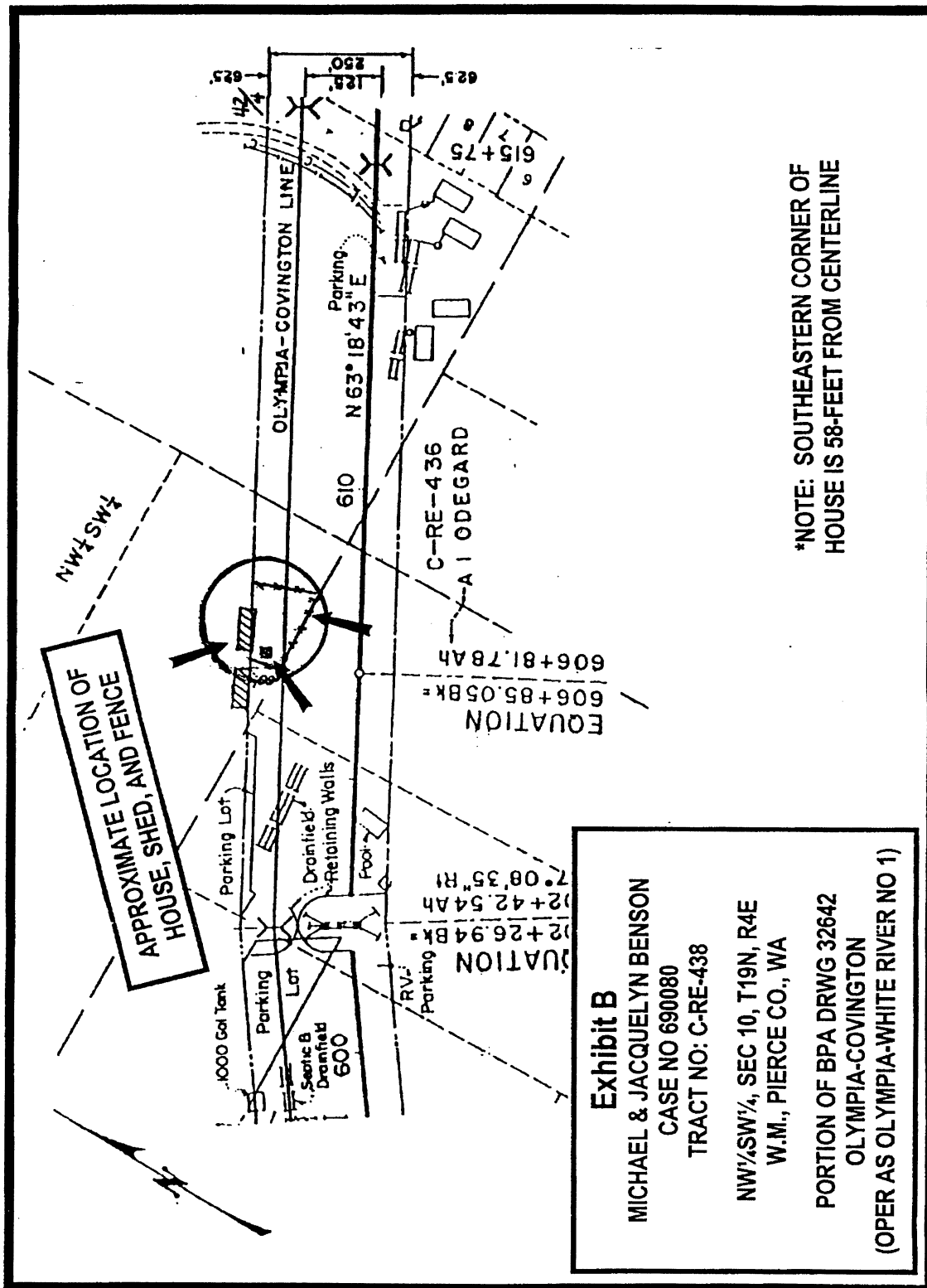
Virginia E. Lee
Notary Public



State of Washington

Residing at Snahomish

My commission expires 9/25/01



*NOTE: SOUTHEASTERN CORNER OF HOUSE IS 58- FEET FROM CENTERLINE

Exhibit B

MICHAEL & JACQUELYN BENSON
CASE NO 690080
TRACT NO: C-RE-438

NW¼SW¼, SEC 10, T19N, R4E
W.M., PIERCE CO., WA

PORTION OF BPA DRWG 32642
OLYMPIA-COVINGTON
(OPER AS OLYMPIA-WHITE RIVER NO 1)

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0015 6753 0403

CASE # 690080

Postage	\$.55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.95

6/1/01

Postmark
Here

Michael & Jacquelyn Benson
 10514 123rd St. Ct, E
 Puyallup, WA 98374

PS Form 3800, February 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Michael & Jacquelyn Benson
 10514 123rd St. Ct, E
 Puyallup, WA 98374

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) JACQUELYN A. BENSON B. Date of Delivery 6-2-01
- C. Signature Jacquelyn Benson ☐ Agent ☐ Addressee
- D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type: ☐ Certified Mail ☐ Registered Mail ☐ Restricted Mail ☐ Return Receipt for Merchandise
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0520 0015 6753 0403

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

EXHIBIT A

1. Storage of flammable materials or refueling of vehicles/equipment on the right-of-way is prohibited.
2. Access to transmission line facilities by BPA's maintenance crews shall not be interfered with or obstructed.
3. BPA shall not be liable for damage to your property, facilities, or injury to persons which might occur during maintenance, reconstruction, or future construction of BPA facilities as a result of your facilities being within the right-of-way.
4. Damage to BPA property, resulting from your use, shall be repaired or replaced by BPA at its option. The actual costs of such repair or replacement shall be charged to and paid by you.
5. The use and maintenance of your facilities shall be at no cost to BPA.
6. Modification of your present use requires BPA's written approval prior to implementation.
7. BPA may terminate this permit upon 30 days written notice.
8. BPA may require you to install a 16-foot wide gate in your fence for maintenance access, at some time in the future.



Department of Energy

Bonneville Power Administration
914 Avenue D
Snohomish, Washington 98290

June 28, 2001

In reply refer to: Case No. 690080

Tract No. C-RE-438
Line: Olympia-Covington (Operated as Olympia-White River No 1)
Chehalis-Covington Line

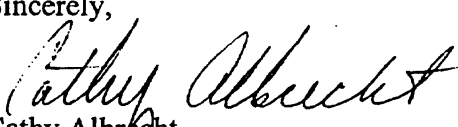
James M. & Jacquelyn Benson
10514 123rd Street Ct. E.
Puyallup, WA 98374

Dear Mr. and Mrs. Benson,

Enclosed is a recorded copy of the Notice of Limited Consent for that portion of your house that is within Bonneville Power Administration's (BPA) right-of-way.

If you have any additional questions or concerns, please feel free to contact our Real Estate Office at (360) 563-0572 or toll-free at (888) 611-1746.

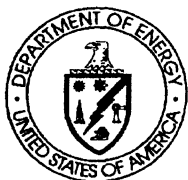
Sincerely,


Cathy Albrecht
Realty Specialist

Enclosure

Bcc:
ROW File - TFN/Snohomish
Official File - TR-3 (Case No. 19690080)

C:\SA\lbrecht.csa:2743:6/28/01(w:\tsrf\690case\690080 03.doc)



Department of Energy

Bonneville Power Administration
914 Avenue D
Snohomish, Washington 98290

June 1, 2001

In reply refer to: Case No. 690080

Tract No. C-RE-438
Line: Olympia-Covington
(Operated as Olympia-White River No 1)
Chehalis-Covington Line

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

James M.
~~Michael~~ & Jacquelyn Benson
10514 123rd St Ct, E
Puyallup, WA 98374

Dear Mr. and Mrs. Benson,

Enclosed is a fully executed copy of a Limited Consent for the portion of your house that is within the Bonneville Power Administration's (BPA) right-of-way. I have also included the shed and fence on this document in order to keep things simple.

For your information, I have sent this document to be recorded and once I have received a copy back from the County, I will send you one for your records. My understanding is that the recording process can take up to a couple of months for completion so you shouldn't expect to receive anything back at least until the end of August.

If you have any questions about this document, or find that you have additional uses for the right-of-way in the future, please feel free to contact our Real Estate Office at (360) 563-0572 or toll-free at (888) 611-1746.

Sincerely,

Mari Rosales
Mari Rosales
Realty Specialist

Enclosure